

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

FRED PORTIS, *et al.*,)
Plaintiffs,)
v.) CASE NO. 2:06-cv-926-MEF
STATE FARM INSURANCE COMPANY,)
Defendant.)

ORDER

It has come to the Court's attention that the parties have failed to comply with the requirements of Section 3 of the Uniform Scheduling Order (Doc. # 5) entered by this Court on December 14, 2006, with respect to its requirement of conducting a face-to-face settlement conference at which counsel for all parties engage in good faith settlement negotiations. Pursuant to this Court's Order the face-to-face settlement conference was to have been completed on or before **July 24, 2007**. Section 3 also requires counsel for the plaintiffs to file a "Notice Concerning Settlement Conference and Mediation" indicating: (1) that a face-to-face settlement conference was conducted; (2) whether settlement was reached at the mandatory face-to-face settlement conference; and (3) whether the parties believe mediation will assist them in resolving this case short of trial. Counsel for plaintiffs is required to submit the Notice Concerning Settlement Conference and Mediation **within five days of the face-to-face settlement conference**. As of the date of this Order, the mandatory Notice Concerning Settlement Conference and Mediation has not been filed as required.

It is hereby ORDERED that:

- a. Plaintiffs' counsel file the Notice Concerning Settlement Conference and Mediation by **August 16, 2007**.
- b. Plaintiffs' counsel must show cause by **August 16, 2007**, why the Court should not sanction him pursuant to Federal Rule of Civil Procedure 16(f) for failure to comply with the Uniform Scheduling Order in this case.

DONE this the 9th day of August, 2007.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE